



July 26, 2007

TECHNICAL STAFF REPORT

*Planning Board Meeting of August 9, 2007
County Council Hearing to be scheduled*

Case No./Petitioners: CB __-2007 – sponsored by County Executive Ken Ulman

Request: AN ACT creating a Design Advisory Panel in Howard County, setting forth the types of properties for which the Design Advisory Panel will review and provide design advice; setting forth the number of members; the method of appointment and qualifications; setting forth guidelines and principles; setting forth the types of recommendations the Panel will make; requiring certain submissions; authorizing fees; requiring review by the Design Advisory Panel at certain stages in the application process; and generally relating to the Design Advisory Panel.

Department of Planning and Zoning Recommendation:

APPROVAL

I. DESCRIPTION OF PROPOSAL

The Petitioner proposes to amend the Howard County Code to establish a Design Advisory Panel (DAP.)

A. Purpose

The Design Advisory Panel (DAP) is proposed as a five-member panel of professional designers, which would include architects, landscape architects, planners, urban designers and civil engineers, who would provide recommendations regarding proposed plans for development or redevelopment. The DAP would function as part of the subdivision review process.

The purpose of the DAP is to:

1. Encourage excellence in site design and architecture
2. Promote design compatibility with surrounding development
3. Promote revitalization
4. Enhance property values

B. Applicability

1. Initially, the Design Advisory Panel (DAP) would limit its review to plans for US 1 Corridor projects and development plans for approved conditional uses for age-restricted adult housing projects.
2. The categories of projects to be reviewed by DAP may expand to include projects within the Route 40 Corridor and future projects in Columbia's Downtown, after the Design Manual for Route 40 and the design guidelines for Columbia's Downtown are produced and approved.

C. Design Guidelines

The DAP is to apply architectural, landscape architecture, and urban design principles in order to develop recommendations for achieving the following objectives in a proposed development plan:

1. *Site planning* which creates attractive visual and functional relationships of the on-site design elements and between the site and the surrounding area;
2. *Buildings* and other structures which are spatially and visually integrated into and suitable for the site and surrounding area;
3. *Architectural features* which articulate the structures and create an identity for the development while being in harmony with the adjacent and surrounding built environment;
4. *Open space* which provides visual and functional integration of the streetscape, public spaces, and pedestrian connections;
5. *Landscaping* which enhances the architectural and site design, provides adequate screening, and defines spaces on the site; and
6. *Design objectives* specified in the Route 1 Manual, Route 40 Manual, final adopted plan for Columbia Downtown, or compatibility criteria for age-restricted adult housing set forth in Section 131.N.1 of the Howard County Zoning Regulations.

D. Process

A detailed procedures document is attached to this staff report with highlights below:

1. DAP review would occur prior to submission of a subdivision or site development plan to DPZ. If a pre-submittal community meeting is required for the project, then the pre-submittal community meeting would occur before the DAP review process begins. Minutes from the pre-sub meetings would be presented to the DAP.
2. DAP meetings would be open for the public to attend, but public testimony would be limited to written comments on design issues to be submitted in advance.
3. DAP may recommend the project for approval as presented, with specific recommended changes, or request another review for specific modifications.
4. DAP recommendations are transmitted to the Subdivision Review Committee as part of the standard plan review process.

5. DAP recommendations are advisory to the Director of DPZ. Therefore, the Director may modify recommendations of DAP. These would be in writing as part of the review record.
6. Once the DAP has been appointed, members will develop Rules of Procedure that are consistent with Administrative Procedures Act.

II. AFFECTED REGULATIONS

The following sections of the Howard County Code and Zoning Regulations would be affected:

1. **HC Code, Sec. 16.145. Sketch plan; preliminary equivalent sketch plan**
2. **HC Code, Sec. 16.147. Final subdivision plan and final plat**
3. **HC Code, Sec. 16.156. Procedures**
4. **Zoning Regulations, Section 131 Conditional Uses**

III. BACKGROUND INFORMATION

A. Scope and History

1. Citizens and business leaders first expressed support for the creation of a Howard County Design Advisory Panel (DAP) during the Comprehensive Rezoning related to the US Route 1 Corridor Revitalization process. These leaders were interested in stimulating revitalization and encouraging more attractive and appealing buildings and environment. Positive support has also been expressed in discussion regarding Columbia Downtown and the Route 40 corridor.
2. Age-restricted adult housing projects requiring conditional use approval are appropriate subjects for DAP review, since they are frequently built in or adjacent to existing neighborhoods. Additional professional design expertise for these projects is important, since the compatibility of projects with surrounding neighborhoods and the environmental context are critical as the County continues to grow.
3. As the County becomes built out and redevelopment occurs, such areas benefit from design review. With buildings being in closer proximity to one another, the appearance and functioning of developments become ever more important.

B. Agency Comments

1. EDA
 - No comments submitted.
2. DHCD
 - No comments submitted.

IV. EVALUATIONS AND CONCLUSIONS

A. Relation to the General Plan

1. *General Plan 2000* addresses age-restricted adult housing and related issues under Housing for Seniors and the Disabled (see pp.80-84) and Policy 4.3. Due to concerns expressed recently by communities about the compatibility of senior housing facilities located within existing neighborhoods, the DAP review process is recommended to promote compatibility based on conditional use criteria adopted in the Zoning Regulations.
2. *General Plan 2000* addresses age-restricted adult housing and related issues under Housing for Seniors and the Disabled (see pp.80-84) and Policy 4.3. Due to concerns expressed recently by communities about the compatibility of senior housing facilities located within existing neighborhoods, the DAP review process is recommended to promote compatibility based on conditional use criteria adopted in the Zoning Regulations.

V. RECOMMENDATION

The Department of Planning and Zoning recommends **APPROVAL** of the proposed draft legislation.

	07/25/07
Marsha S. McLaughlin, Director	Date

Attachments

1. Proposed Draft Legislation to amend Subdivision Regulations
2. Draft Proposal - Procedures for DAP Application Processing

T:\Shared\DECP\D A P\Legislation\DAP Council Bills TSR.doc

The file is available for public review at the Department of Planning and Zoning, George Howard Bldg
3430 Courthouse Drive, Ellicott City Maryland from Monday through Friday, 8:00 a.m. - 5:00 p.m.

Introduced _____
Public Hearing _____
Council Action _____
Executive Action _____
Effective Date _____

County Council Of Howard County, Maryland

2007 Legislative Session

Legislative Day No.

Bill No. _____-2007

Introduced by: The Chairperson at the request of the County Executive

AN ACT creating a Design Advisory Panel in Howard County, setting forth the types of properties for which the Design Advisory Panel will review and provide design advice; setting forth the number of members; the method of appointment and qualifications; setting forth guidelines and principles; setting forth the types of recommendations the Panel will make; requiring certain submissions; authorizing fees; requiring review by the Design Advisory Panel at certain stages in the application process; and generally relating to the Design Advisory Panel.

Introduced and read first time _____, 2007. Ordered posted and hearing scheduled.

By order _____
Sheila M. Tolliver, Administrator

Having been posted and notice of time & place of hearing & title of Bill having been published according to Charter, the Bill was read for a second time at a public hearing on _____, 2007.

By order _____
Sheila M. Tolliver, Administrator

This Bill was read the third time on _____, 2007 and Passed ___, Passed with amendments ___, Failed ____.

By order _____
Sheila M. Tolliver, Administrator

Sealed with the County Seal and presented to the County Executive for approval this ___ day of _____, 2007 at ___ a.m./p.m.

By order _____
Sheila M. Tolliver, Administrator

Approved/Vetoed by the County Executive _____, 2007

Ken Ulman, County Executive

NOTE: [[text in brackets]] indicates deletions from existing law; TEXT IN ALL CAPITALS indicates additions to existing law; Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1 **Section 1. *Be It Enacted*** by the County Council of Howard County, Maryland, that
2 *subsection (b) of section 16.145 “Sketch plan; preliminary equivalent sketch plan”,*
3 *subsection (b) of Section 16.147 “ Final subdivision plan and final plat” both of Article*
4 *IV “Procedures for Filing and Processing Subdivision Applications” of Subtitle I*
5 *“Subdivision and Land Development Regulations” of Title 16 “Planning, Zoning and*
6 *Subdivisions and Land Development Regulations” of the Howard County Code is*
7 *amended to read as follows:*

8
9 **Title 16. Planning, Zoning and Subdivisions and**
10 **Land Development Regulations.**

11 **Subtitle 1. Subdivision and Land Development Regulations.**

12 **Article IV. Procedures for Filing and Processing Subdivision Applications.**

13
14 **Section 16.145. Sketch plan; preliminary equivalent sketch plan.**

15 **(b) *Procedures:***

16 (1) *Informational meeting prior to plan submission:* The developer, especially
17 the developer of a large or complex project, is encouraged to contact the
18 Department of Planning and Zoning to schedule an informational meeting
19 with the Department and other appropriate agencies prior to submitting the
20 sketch plan or preliminary equivalent sketch plan so that requirements for
21 adequate public facilities testing, the General Plan, the capital
22 improvement program and other information can be provided prior to
23 formal submission of the plan application.

24 (2) *Pre-submission community meeting:* If the initial plan submittal for a
25 residential subdivision is a sketch plan or preliminary equivalent sketch
26 plan, the developer of the subdivision is required to hold a pre-submission
27 community meeting in accordance with Section 16.128 of this Subtitle.

28 (3) *DESIGN ADVISORY PANEL REVIEW:* IF THE PROJECT IS LOCATED
29 ON ANY LAND DESCRIBED BELOW THEN THE DEVELOPER IS
30 REQUIRED TO SUBMIT THE PROJECT FOR REVIEW BY THE

DESIGN ADVISORY PANEL IN ACCORDANCE WITH SUBTITLE
15 OF THIS TITLE:

- (I) PARCELS LOCATED IN THE U.S. ROUTE 1 CORRIDOR
THAT ARE ZONED CE, CAC, OR TOD, OR ADJOIN THE
ROUTE 1 RIGHT-OF-WAY;
- (II) PARCELS ON WHICH AGE-RESTRICTED ADULT HOUSING
IS TO BE CONSTRUCTED PURSUANT TO A GRANT OF A
CONDITIONAL USE;
- (III) PARCELS LOCATED WITHIN COLUMBIA DOWNTOWN IN
ACCORDANCE WITH SECTION 16.1501 OF THIS TITLE;
AND
- (IV) PARCELS LOCATED WITHIN THE ROUTE 40
ENHANCEMENT STUDY AREA IN ACCORDANCE WITH
SECTION 16.1501 OF THIS TITLE.

[[(3)] (4) *Submit application; pay fees:* A developer applies for approval of a
sketch plan or preliminary equivalent sketch plan by submitting the
following items to the Department of Planning and Zoning for the entire
parcel being subdivided:

- (i) An application form and checklist;
- (ii) The required number of copies of the plan, which shall be:
 - (a) In accordance with the provisions of subsection (c),
"Required Information for Sketch Plan," of this section; or
 - (b) If this is a preliminary equivalent sketch plan, in
accordance with subsection (c), "Required Information for
Preliminary Plan," of Section 16.146, "Preliminary Plan,"
of this Subtitle; and
- (iii) The appropriate application fee.

[[(4)] (5) *Notice of new residential developments:*

- (i) *Requirement to give public notice:* If the sketch or preliminary
equivalent sketch plan is the initial plan submittal for new

1 residential development and is submitted after November 15, 2001,
2 within 3 working days the developer shall post public notice on the
3 property.

4 (ii) *Location*: The posters provided by the Department of Planning and
5 Zoning shall be posted at the site of the proposed roadway
6 entrances so that local residents may reasonably be expected to see
7 them.

8 (iii) *Duration*: The notice shall remain in place at least 30 days.

9 (iv) *Content*: The notice shall:

10 a. State that a new residential development is proposed to be
11 constructed at the site.

12 b. Give the sketch or preliminary equivalent sketch plan
13 number.

14 c. Indicate that the sketch or preliminary equivalent sketch
15 plan is available for inspection at the Department of
16 Planning and Zoning.

17 (v) *Notification to persons who comment*: Any person commenting on
18 a sketch plan or preliminary equivalent sketch plan within 14 days
19 of plan submission shall be notified by the Department of Planning
20 and Zoning that changes have occurred to the proposed plans at
21 any stage of the review process.

22 (vi) *No delay*: The notification requirements of this subsection shall not
23 be construed to delay the normal processing of the sketch or
24 preliminary equivalent sketch plan.

25 [[(5)]] (6) *Processing of application*: Processing of the application for approval
26 of the sketch or preliminary equivalent sketch plan will follow the general
27 procedures outlined in Section 16.144 "General Procedures Regarding the
28 Subdivision Process," of this Subtitle.

29 [[(6)]] (7) *Approval binding on county*:

- (i) Approval of a sketch plan is binding on the county for 7 years provided that the subdivision is processed in accordance with the schedule included in the approved plan and:
- a. A preliminary plan is submitted within:
 1. 4 months of sketch plan approval (subdivisions of 50 or fewer housing units);
 2. 6 months of sketch plan approval (subdivisions of 51--100 housing units);
 3. 9 months of sketch plan approval (subdivisions of 101 or more housing units);
 4. 9 months of sketch plan approval for nonresidential subdivisions; and
 - b. A final plan is submitted within:
 1. 4 months of preliminary plan approval (subdivisions of 50 or fewer housing units);
 2. 6 months of preliminary plan approval (subdivisions of 51--100 housing units);
 3. 9 months of preliminary plan approval (subdivisions of 101 or more housing units);
 4. 9 months of preliminary plan approval for nonresidential subdivisions.
- (ii) Approval of a preliminary equivalent sketch plan is binding on the county for 7 years provided that the subdivision is processed in accordance with the schedule included in the approved plan and a final plan is submitted within:
- a. 4 months of preliminary equivalent sketch plan approval (subdivisions of 50 or fewer housing units);
 - b. 6 months of preliminary equivalent sketch plan approval (subdivisions of 51--100 housing units);
 - c. 9 months of preliminary equivalent sketch plan approval (subdivisions of 101 or more housing units);

- d. 9 months of preliminary equivalent sketch plan approval
for nonresidential subdivisions.

[[(7)] (8) *File original tracings of approved plan:* The developer shall file
original tracings of the approved sketch or preliminary equivalent sketch
plan with the Department of Planning and Zoning prior to the submission
of the next plan stage. The original tracing shall be on a durable,
reproducible of mylar or comparable material approved by the Department
of Planning and Zoning.

Section 16.147. Final subdivision plan and final plat.

(b) Procedures:

(1) *Pre-submission community meeting for minor subdivisions:* If the initial
plan submittal for a residential subdivision is a final plan located in the
planned service area for water and sewer, the developer of the subdivision
is required to hold a pre-submission community meeting in accordance
with Section 16.128 of this Subtitle.

(2) *DESIGN ADVISORY PANEL REVIEW:* IF THE PROJECT IS LOCATED
ON ANY LAND DESCRIBED BELOW THEN THE DEVELOPER IS
REQUIRED TO SUBMIT THE PROJECT FOR REVIEW BY THE
DESIGN ADVISORY PANEL IN ACCORDANCE WITH SUBTITLE
15 OF THIS TITLE:

(I) PARCELS LOCATED IN THE U.S. ROUTE 1 CORRIDOR
THAT ARE ZONED CE, CAC, OR TOD, OR ADJOIN THE
ROUTE 1 RIGHT-OF-WAY;

(II) PARCELS ON WHICH AGE-RESTRICTED ADULT HOUSING
IS TO BE CONSTRUCTED PURSUANT TO A GRANT OF A
CONDITIONAL USE;

(III) PARCELS LOCATED WITHIN COLUMBIA DOWNTOWN IN
ACCORDANCE WITH SECTION 16.1501 OF THIS TITLE;
AND

1 (IV) PARCELS LOCATED WITHIN THE ROUTE 40
2 ENHANCEMENT STUDY AREA IN ACCORDANCE WITH
3 SECTION 16.1501 OF THIS TITLE.

4 [[(2)]] (3) *Submit application; pay fees:* A developer applies for approval of a
5 final plan by submitting the following items to the Department of Planning
6 and Zoning for the entire parcel or for phased subdivisions, the phase
7 being subdivided:

- 8 (i) An application form;
9 (ii) The required number of copies of the final plan, which shall be in
10 accordance with the provisions of this section; and
11 (iii) The appropriate application fee.

12 [[(3)]] (4) *Notice of new residential minor subdivisions and resubdivisions:*

- 13 (i) *Requirement to give public notice:* If the final plan submission is
14 the initial plan submittal for new residential development and is
15 submitted after November 15, 2001, within 3 working days of the
16 plan's submission the developer shall post public notice on the
17 property.
18 (ii) *Location:* The poster provided by the Department of Planning and
19 Zoning shall be posted at the site of the proposed development
20 entrance so that community residents may reasonably be expected
21 to see it.
22 (iii) *Duration:* The notice shall remain in place at least 30 days.
23 (iv) *Content:* The notice shall:
24 a. State that a new residential development is proposed to be
25 constructed at the site.
26 b. Give the final plan number.
27 c. Indicate that the plan is available for inspection at the
28 Department of Planning and Zoning.
29 (v) *No delay:* The notification requirements of this subsection shall not
30 be construed to delay the normal processing of the plan.

[[(4)]] (5) *Processing of application*: Processing of the application for approval of the final plan will follow the general procedures outlined in Section 16.144, "General procedures regarding the subdivision process," of this Subtitle.

[[5]] (6) *Fee simple dedication of open space*: If dedication of open space to the County or a homeowners' association is proposed, the developer shall submit an original deed to the County prior to recordation of the final plat, granting good and sufficient fee simple title to all open space required to be dedicated.

[[(6)]] (7) *Dedication of Easements*: If dedication of easements for water, sewer, storm drainage, public storm water management facilities, shared septic facilities, other public utilities, forest conservation, floodplains or preservation parcels is proposed, the developer shall submit original deeds (or declaration of covenants in the case of shared septic facilities) to the County prior to the recordation of the final plat, granting the required easements.

[[(7)] (8) *Recordation*: The Department of Planning and Zoning shall record the final plat in the land records of Howard County and shall notify the developer by mail of the date of recording and the plat number. For resubdivisions and correction plats, the Department of Planning and Zoning shall also record a notation in the form of a resolution that references the revised plat to be affixed to the previously recorded lot or lots.

Section 2. And Be It Further Enacted by the County Council of Howard County, Maryland, that subsection (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n) and (o) are renumbered to be (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), and (p), respectively, of Section 16.156 “Procedures” of Article V “Procedures for Filing and Processing Site Development Plan Applications” of Subtitle 1 “Subdivision and Land Development Regulations” of Title 16 “Planning, Zoning and Subdivisions and Land Development Regulations” of the Howard County Code.

1
2 **Section 3. And Be It Further Enacted** by the County Council of Howard County,
3 Maryland, that new subsection (b) is added to Section 16.156 “Procedures” of Article V
4 “Procedures for Filing and Processing Site Development Plan Applications” of Subtitle
5 1 “Subdivision and Land Development Regulations” of Title 16 “Planning, Zoning and
6 Subdivisions and Land Development Regulations” of the Howard County Code to read as
7 follows:

8 **Title 16. Planning, Zoning and Subdivisions and**
9 **Land Development Regulations.**

10 **Subtitle 1. Subdivision and Land Development Regulations.**

11 **Article V. Procedures for filing and processing site development plan applications.**

12
13 **Section 16.156. Procedures.**

14 (B) *DESIGN ADVISORY PANEL REVIEW*: IF THE PROJECT IS LOCATED ON ANY
15 LAND DESCRIBED BELOW THEN THE DEVELOPER IS REQUIRED TO SUBMIT
16 THE PROJECT FOR REVIEW BY THE DESIGN ADVISORY PANEL IN
17 ACCORDANCE WITH SUBTITLE 15 OF THIS TITLE:

18 (I) PARCELS LOCATED IN THE U.S. ROUTE 1 CORRIDOR THAT ARE
19 ZONED CE, CAC, OR TOD, OR ADJOIN THE ROUTE 1 RIGHT-OF-
20 WAY;

21 (II) PARCELS ON WHICH AGE-RESTRICTED ADULT HOUSING IS TO
22 BE CONSTRUCTED PURSUANT TO A GRANT OF A
23 CONDITIONAL USE;

24 (III) PARCELS LOCATED WITHIN COLUMBIA DOWNTOWN IN
25 ACCORDANCE WITH SECTION 16.1501 OF THIS TITLE; AND

26 (IV) PARCELS LOCATED WITHIN THE ROUTE 40 ENHANCEMENT
27 STUDY AREA IN ACCORDANCE WITH SECTION 16.1501 OF THIS
28 TITLE.

1 ***Section 4. And Be It Further Enacted*** by the County Council of Howard County,
2 *Maryland, that new Subtitle 15 “Design Advisory Panel” is added to Title 16 “Planning,*
3 *Zoning and Subdivisions and Land Development Regulations” of the Howard County*
4 *Code to read as follows:*

6 **Title 16. Planning, Zoning and Subdivisions and Land Development Regulations**
7 **SUBTITLE 15. DESIGN ADVISORY PANEL.**

9 **SECTION 16.1500. SHORT TITLE; PURPOSE.**

10 (A) *SHORT TITLE.* THIS SUBTITLE SHALL BE KNOWN AS THE DESIGN
11 ADVISORY PANEL ACT.

12 (B) *PURPOSE.* THERE SHALL BE A HOWARD COUNTY DESIGN ADVISORY
13 PANEL (“PANEL”) IN ORDER TO:

- 14 (1) PROVIDE ADVICE TO THE DIRECTOR OF PLANNING AND
15 ZONING REGARDING PLANS FOR NEW DEVELOPMENT AND
16 REDEVELOPMENT IN DESIGNATED AREAS OF HOWARD
17 COUNTY INCLUDING, WITHOUT LIMITATION, THE U.S. ROUTE
18 1 CORRIDOR, THE ROUTE 40 CORRIDOR, COLUMBIA’S
19 DOWNTOWN, AND IN AGE-RESTRICTED ADULT HOUSING
20 PERMITTED BY CONDITIONAL USE; AND
21 (2) ENCOURAGE EXCELLENCE IN ARCHITECTURE AND SITE
22 DESIGN, TO IMPROVE DESIGN COMPATIBILITY WITH
23 SURROUNDING DEVELOPMENT, TO PROMOTE
24 REVITALIZATION, AND TO ENHANCE PROPERTY VALUES.

26 **SECTION 16.1501. APPLICABILITY.**

27 THE DESIGN ADVISORY PANEL SHALL REVIEW AND PROVIDE DESIGN
28 ADVICE FOR:

29 A) PARCELS LOCATED IN THE U.S. ROUTE 1 CORRIDOR THAT ARE ZONED
30 CE, CAC, OR TOD, OR ADJOIN THE ROUTE 1 RIGHT-OF-WAY;

1 B) PARCELS ON WHICH AGE-RESTRICTED ADULT HOUSING IS TO BE
2 CONSTRUCTED PURSUANT TO A GRANT OF A CONDITIONAL USE;
3 C) THIRTY DAYS AFTER THE APPROVAL BY COUNTY COUNCIL AND
4 COUNTY EXECUTIVE OF A PLAN FOR COLUMBIA DOWNTOWN, PARCELS
5 LOCATED WITHIN COLUMBIA DOWNTOWN; AND
6 D) THIRTY DAYS AFTER THE APPROVAL OF A ROUTE 40 MANUAL BY
7 COUNTY COUNCIL AND COUNTY EXECUTIVE, PARCELS LOCATED WITHIN
8 THE ROUTE 40 ENHANCEMENT STUDY AREA.
9

10 **SECTION 16.1502. ESTABLISHMENT OF DESIGN ADVISORY PANEL.**

11 (A) *ESTABLISHMENT*. A DESIGN ADVISORY PANEL IS ESTABLISHED.

12 (B) *NUMBER OF MEMBERS; METHOD OF APPOINTMENT*. THE PANEL SHALL
13 CONSIST OF FIVE MEMBERS WHO SHALL BE APPOINTED BY THE COUNTY
14 EXECUTIVE AND CONFIRMED BY THE COUNTY COUNCIL.

15 (C) *QUALIFICATIONS*. THE APPOINTED MEMBERS SHALL HAVE TRAINING
16 AND EXPERIENCE IN ONE OR MORE OF THE FOLLOWING SUBJECT AREAS:

- 17 (1) ARCHITECTURE;
18 (2) LANDSCAPE ARCHITECTURE;
19 (3) URBAN DESIGN;
20 (4) CIVIL ENGINEERING; AND
21 (5) BUILDING CONSTRUCTION.

22 (C) *TERM*. A PANEL MEMBER SHALL BE APPOINTED FOR A TERM OF THREE
23 YEARS AND SHALL BE ELIGIBLE FOR RE-APPOINTMENT TO ONE
24 ADDITIONAL TERM.

25 (D) *EXECUTIVE SECRETARY*. THE DIRECTOR OF PLANNING AND ZONING,
26 OR THE DIRECTOR'S DESIGNEE, SHALL SERVE AS THE EXECUTIVE
27 SECRETARY TO THE PANEL.

1 (E) *MAINTENANCE OF RECORDS*. THE RECORDS OF ALL PROCEEDINGS AND
2 THE BASIS FOR ALL FINDINGS SHALL BE MAINTAINED IN THE NORMAL
3 COURSE OF BUSINESS.

4 (F) *MEETINGS*. THE PANEL SHALL MEET AT LEAST TWICE A MONTH AND,
5 IF NECESSARY, MORE FREQUENTLY. MEETING NOTICE SHALL INCLUDE
6 POSTING NOTICE ON THE HOWARD COUNTY WEB SITE.

7
8 **SECTION 16.1503. GUIDELINES AND PRINCIPLES.**

9 THE PANEL IS TO APPLY ARCHITECTURAL, LANDSCAPE ARCHITECTURE,
10 AND URBAN DESIGN PRINCIPLES IN ORDER TO ACHIEVE THE FOLLOWING
11 OBJECTIVES IN A PROPOSED PLAN:

12 (A) *SITE PLANNING* WHICH CREATES ATTRACTIVE VISUAL AND
13 FUNCTIONAL RELATIONSHIPS OF THE ON-SITE DESIGN ELEMENTS AND
14 BETWEEN THE SITE AND THE SURROUNDING AREA;

15 (B) *BUILDINGS* AND OTHER STRUCTURES WHICH ARE SPATIALLY AND
16 VISUALLY INTEGRATED INTO AND SUITABLE FOR THE SITE AND
17 SURROUNDING AREA;

18 (C) *ARCHITECTURAL FEATURES* WHICH ARTICULATE THE STRUCTURES
19 AND CREATE AN IDENTITY FOR THE DEVELOPMENT WHILE BEING IN
20 HARMONY WITH THE ADJACENT AND SURROUNDING BUILT
21 ENVIRONMENT;

22 (D) *OPEN SPACE* WHICH PROVIDES VISUAL AND FUNCTIONAL
23 INTEGRATION OF THE STREETScape, PUBLIC SPACES, AND PEDESTRIAN
24 CONNECTIONS;

25 (E) *LANDSCAPING* WHICH ENHANCES THE ARCHITECTURAL AND SITE
26 DESIGN, PROVIDES ADEQUATE SCREENING, AND DEFINES SPACES ON THE
27 SITE; AND

28 (F) *DESIGN OBJECTIVES* SPECIFIED IN THE ROUTE 1 MANUAL, ROUTE 40
29 MANUAL, FINAL ADOPTED PLAN FOR COLUMBIA DOWNTOWN, OR
30 COMPATIBILITY CRITERIA FOR AGE-RESTRICTED ADULT HOUSING SET

FORTH IN SECTION 131.N.1 OF THE HOWARD COUNTY ZONING
REGULATIONS.

SECTION 16.1504. DESIGN REVIEW.

(A) *REVIEW REQUIRED.* UNLESS SPECIFICALLY EXEMPTED, ANY
STRUCTURE OR SITE IMPROVEMENTS THAT WILL BE CONSTRUCTED,
ALTERED, OR REMODELED IN THE DESIGNATED AREAS AS PROVIDED IN
SECTION 16.1501 SHALL BE REVIEWED BY THE PANEL PRIOR TO
SUBMISSION FOR REVIEW AND APPROVAL BY THE SUBDIVISION REVIEW
COMMITTEE.

(B) *RECOMMENDATIONS.* THE PANEL SHALL MAKE RECOMMENDATIONS
REGARDING:

- (1) THE SITE PLAN FOR BUILDINGS, VEHICULAR CIRCULATION
AND ACCESS, PEDESTRIAN ACCESS AND LINKAGES, PARKING,
LOADING, EXTERIOR MECHANICAL UNITS, LANDSCAPING,
AND WALLS AND FENCES;
- (2) BUILDING SCALE AND MASSING IN RELATION TO AND
COMPATIBLE WITH THE SURROUNDING AREA;
- (3) BUILDING ARCHITECTURAL STYLE, MATERIALS, ENTRANCES,
WINDOWS, ROOF DESIGN, AND COLORS;
- (4) OPEN SPACE ON THE SITE INCLUDING PATHWAYS, PUBLIC
SPACES, AMENITY AREAS, AND SIMILAR FEATURES;
- (5) THE DESIGN OF EXTERIOR LIGHTING DEVICES AND
POTENTIAL DISTURBANCES TO THE PUBLIC AND ADJACENT
PROPERTIES; AND
- (6) THE LOCATION, SIZE, AND DESIGN OF THE EXTERIOR SIGNS.

SECTION 16.1505. SUBMISSION AND ADVISORY PROCESS.

(A) *TIMING OF RECOMMENDATIONS.* THE PANEL SHALL CONSULT WITH
AND MAKE RECOMMENDATIONS TO THE DEPARTMENT OF PLANNING AND

1 ZONING PRIOR TO THE INITIAL SUBMISSION FOR A CONDITIONAL USE OR
2 OF A DEVELOPMENT PLAN AS DEFINED IN THE SUBDIVISION AND LAND
3 DEVELOPMENT REGULATIONS.

4 (B) *SUBSEQUENT SUBMITTALS*. THE PANEL MAY REQUIRE THE APPLICANT
5 TO PROVIDE SUBSEQUENT SUBMITTALS FOR REVIEW AND ADVICE.

6 (C) *ADDITIONAL RECOMMENDATIONS*. RECOMMENDATIONS OF THE PANEL
7 MAY BE REQUIRED BY THE HEARING AUTHORITY OR THE DEPARTMENT
8 OF PLANNING AND ZONING AS CONDITIONS FOR APPROVAL OF A PLAN.

9
10 **SECTION 16.1506. RULES OF PROCEDURE.**

11 THE DESIGN ADVISORY PANEL SHALL ADOPT RULES OF PROCEDURE
12 NECESSARY FOR THE DISCHARGE OF ITS DUTIES.

13
14 **SECTION 16.1507. FEES.**

15 THE DIRECTOR MAY ADOPT FEES FOR REVIEW BY THE DESIGN ADVISORY
16 PANEL THAT SHALL BE ADOPTED BY RESOLUTION OF THE COUNTY
17 COUNCIL.

18
19 *Section 5. And Be It Further Enacted by the County Council of Howard County,*
20 *Maryland, that this Act shall become effective 61 days after its enactment.*



Howard County Design Advisory Panel

PROCEDURES FOR DAP APPLICATION PROCESSING

Purpose

This document assists applicants and consultants in presenting their projects to the Design Advisory Panel (DAP) for development, redevelopment and construction within the US Route 1 Corridor and for age restricted adult housing that requires a conditional use. To improve design compatibility with surrounding development, to promote revitalization, and to enhance property values, the DAP process encourages excellence in the project's architecture and site design.

Participants in the Design Review Process

- Applicant – the owner or developer of a property that is subject to DAP review
- Applicant's Consultants – the Architect, the landscape architect, land planner, civil engineer or other professionals who prepare plans on behalf of the Applicant
- Architect – the licensed architect who designs the proposed building
- DAP (Design Advisory Panel) – the five-member panel that is responsible for review and recommendations regarding plans for subject properties
- DAP Executive Secretary – the DECP staff member designated by the DPZ Director to manage the DAP process
- DECP (Division of Environmental and Community Planning) – the DPZ division that provides staff support to the DAP and ensures that all DAP-reviewed projects are forwarded to DLD for SRC review
- DLD (Division of Land Development) – the DPZ division that manages the SRC process
- DPZ (Howard County's Department of Planning and Zoning) – the department that oversees the DAP and SRC processes
- DPZ Director – the individual responsible for serving as or designating the DAP Executive Secretary
- Hearing Examiner – the county official responsible for review and approval of all conditional use applications
- SRC (Subdivision Review Committee) – the interagency group that reviews and approves subdivision plans, site development plans, waiver petitions and related documents

Before the Meeting

1. Applicants must receive DAP review and recommendations for:
 - (a) any project in the US Route 1 Corridor that is subject to the Route 1 Manual prior to submitting a subdivision or site development plan application to DLD; or,
 - (b) age restricted adult housing that requires a conditional use permit for approval prior to submitting an application for a conditional use hearing to the Hearing Examiner.

DPZ will not accept any plans for SRC review application or conditional use applications until notified that DAP has reviewed those projects.

2. Applicants, their architects and consultants are encouraged to contact the DAP Executive Secretary at 410-313-2350 in advance of any submission to ensure that the project is subject to DAP review, to request an introduction to the DAP process and, if desired, to discuss the contents of the Route 1 Manual. Please note that this courtesy meeting with DECP staff, prior to submitting any materials and/or drafting conceptual or any other kinds of drawings, may save the applicant substantial time, effort and cost.
3. DAP review and recommendation must occur before the initial submission of a plan for a project that is subject to SRC or Hearing Examiner review. If the first submission is a waiver petition, a full *Application for DAP Review*, as defined below, will be required. If the initial submission is to be a red-lined plan and that plan is not exempt from the Route 1 Manual, the plan must obtain DAP's review and recommendations. [*Note: revised language for Route 1 Manual Applicability is under review*]. Additional supporting plans and elevations may be required to accompany a red-lined plan.
4. The Applicant must make an appointment with the DAP Executive Secretary to submit a complete *Application for DAP Review*, signed by the Applicant and the Architect, the *DAP Checklist*, two sets of plans and drawings and a non-refundable fee, set by the fee schedule. The DAP Executive Secretary will determine if an application is required and if an application package is complete; incomplete applications will not be accepted. DECP will alert other DPZ divisions of all submissions received.
5. DPZ strongly recommends that the initial proposal to DAP for major developments, redevelopment and expansions be conceptual in nature but must include design-related details, such as preliminary elevations. All building plans, elevations and illustrations must be prepared by the licensed Architect, who will appear before DAP to present the proposed project for DAP review.
6. If a pre-submittal community meeting is required for any project, then the summary of comments from this meeting must be included with the *Application for DAP Review*. DPZ strongly recommends that applicants present conceptual drawings at the pre-submittal community meeting, which drawings may then be submitted for DAP review.
7. When the DAP Executive Secretary determines the *Application for DAP Review* is completed, and all associated drawings and illustrations are submitted, the DAP Executive Secretary will schedule the application for the next available, regularly scheduled DAP Meeting [*Note: currently envisioned as the first and third Tuesdays*].
8. At least 15 calendar days before the date scheduled for a DAP meeting, applicants shall post their subject properties with signs provided by DPZ. Applicants will photograph these signs and submit copies of photographs with signed affidavits to the DAP Executive Secretary within five calendar days of posting their subject properties. All holidays are considered calendar days.
9. At least 15 calendar days prior to a DAP meeting, applicants will submit seven complete and identical copies of the completed *Application for DAP Review* and all drawings to the DAP Executive Secretary, who will keep copies on file for public review and will distribute copies to the DAP at least seven calendar days prior to the scheduled DAP meeting.

10. The DAP Executive Secretary will prepare an agenda with a list of attachments to accompany the distribution to the DAP.

At the Meeting

11. The DAP is comprised of five appointed members with a required quorum of three members for meetings to be held. At each DAP meeting, one Panelist must be an architect. The DAP chair, selected by the DAP members, will conduct the meeting.
12. An individual DAP member does not participate in any matter in which the member or his/her firm is involved or may have a direct or indirect financial or equity interest.
13. Meetings are open to the public; however, public testimony is restricted to the written summary of comments from the pre-submittal community meeting or to written comments on design issues only, received prior to the DAP meeting. These written comments will be made part of the official files for the project. Members of the public may inspect all *Applications*, drawings, minutes, and related DAP materials at the DPZ public service counter or by contacting the DAP Executive Secretary.
14. At the meeting the Applicant, Architect, and each design professional who is involved in the development and design of the proposal, will present the proposal with supporting illustrations and respond to questions raised by DAP or the DAP Executive Secretary. The purpose of the meeting is to generate discussion and dialogue that will lead to the best possible project.
15. The DAP will recommend that the project be (a) approved as presented, (b) approved with specific recommendations, or (c) required to return to DAP with specific modifications that DAP may require prior to or after review by the SRC or the Hearing Examiner.
16. DAP may require additional submittals by the Architect and subsequent DAP meeting review(s) before the project may be submitted to DPZ for SRC review or Hearing Examiner for conditional use review. This will depend on the scale and scope of the proposal, as well as the amount of changes required to comply with DAP requirements.

After the Meeting

17. The DAP Executive Secretary will prepare summary minutes indicating the recommendations of DAP for consideration by SRC and/or the Hearing Examiner. These will be available within ten calendar days of DAP meetings and will be provided to DAP, the Applicant, DLD on behalf of SRC and/or the Hearing Examiner, *interested parties*, and the project file. For the purposes of this requirement, an *interested party* is any member of the public who requested inclusion in the distribution of minutes and who also provided contact information, preferably by e-mail address, where minutes may be sent.

18. In its recommendations DAP may include requirements recommendations? that Applicants provide DPZ with greater detail or information in plans to be submitted for SRC review and approval.
19. Applicants must provide written responses to DAP recommendations within ten calendar days of distribution of the minutes. Applicant responses may include reasons for which compliance is not feasible for a particular recommendation. Applicants must submit all revised proposals to the DAP Executive Secretary for review and final check prior to submittal to DLD or any other process.
20. The DAP Executive Secretary will participate in SRC meetings and provide DAP recommendations, meeting minutes and written responses by Applicant as items for the SRC to utilize in its consideration and review of proposals.
21. DAP recommendations are advisory to the Director; however, applicants are bound by, and must comply with, all decisions by DAP, unless those decisions are specifically modified by the Director or the Director's designee in writing, pursuant to a request in writing by the Applicant that includes reasons for which compliance is not feasible for a particular recommendation. The Applicant and any *interested parties* will be notified in writing of the Director's decision.
22. The Director may forego any requirement within these procedures when the County's interests would be adversely affected by the application of any procedure to a specific project, condition or situation. The Applicant and any *interested parties* will be notified in writing of the Director's action.

For More Information

DAP Executive Secretary
Howard County Department of Planning and Zoning
Division of Environmental & Community Planning
3430 Court House Drive
Ellicott City, Maryland 21043
(410) 313-2350

Design Advisory Panel

REVIEW PROCESS

Schedule

<u>DAY #</u>	<u>STAGE IN PROCESS</u>	<u>REGULATORY REQUIREMENT</u>
1	START – Submission by Appointment	20 days minimum before Meeting
5	POST – Property posted by Applicant	15 days minimum before Meeting
10	PROOF of posting by Applicant	5 days minimum after Posting
13	PLANS provided to DAP by DECP WEB SITE is also posted by DECP	7 days minimum before Meeting
20	MEETING	To be held two times per month
<i>30 or less</i>	MINUTES by DECP staff	<i>Maximum</i> 10 days after Meeting
<i>40 or less</i>	RESPONSE by Applicant	<i>Maximum</i> 10 days after Meeting

TOTAL: 30 – 40 days